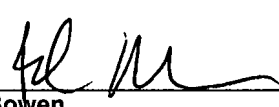


FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NUMBER 4398-207	#5
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/533,940	
INTERNATIONAL APPLICATION NO. PCT/AU2004/000810	INTERNATIONAL FILING DATE 21 June 2004	PRIORITY DATE CLAIMED 20 June 2003	
TITLE OF INVENTION BREATHABLE GAS APPARATUS WITH HUMIDIFIER			
APPLICANT(S) FOR DO/EO/US JEHA et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.			
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.			
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.			
4. <input type="checkbox"/> The U.S. has been elected (Article 31).			
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).			
a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings).			
b. <input type="checkbox"/> has been communicated by the International Bureau.			
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).			
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))			
a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).			
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).			
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))			
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).			
b. <input type="checkbox"/> have been communicated by the International Bureau.			
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.			
d. <input type="checkbox"/> have not been made and will not be made.			
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).			
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Items 11 To 20 below concern document(s) or information included:			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.			
13. a. <input type="checkbox"/> A FIRST preliminary amendment.			
b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.			
15. <input type="checkbox"/> A substitute specification.			
16. <input type="checkbox"/> A change of power of attorney and/or address letter.			
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.			
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).			
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).			
20. <input type="checkbox"/> Other items or information.			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.53) 10/533,940		INTERNATIONAL APPLICATION NO. PCT/AU2004/000810		ATTORNEY'S DOCKET NUMBER 4398-207	
21. <input checked="" type="checkbox"/> The following fees are submitted:					
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):					
<input type="checkbox"/> a) Basic national fee				\$300.00 (1631)/\$150.00 (2631)	\$
<input type="checkbox"/> b) Examination Fee				\$200.00 (1633)/\$100.00 (2633)	\$
<input type="checkbox"/> c) Search Fee				\$500.00 (1632)/\$250.00 (2632)	\$
TOTAL OF ABOVE CALCULATIONS				\$1000.00/\$500.00	\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
80 -100	0	/50 = 0.00		\$0.00 (1681)	
				\$0.00 (2681)	
Surcharge of \$130.00 (1617)/ \$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED	# EXTRA	RATE	
Total Claims		minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims		minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
				+ 0.00	
				TOTAL NATIONAL FEE =	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property				+	
				\$ 0.00	
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 0.00	
					Amount to be: refunded \$
					Charged \$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-1140</u> . A <u>duplicate</u> copy of this form is enclosed. d. <input type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED. e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/AU2004/000810 and any U.S. and foreign application(s) corresponding thereto, and AU 2003903139, AU 2003905136, and AU 2004901008, referred to in this application is/are hereby incorporated by reference in this application. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status. CORRESPONDENCE ADDRESS Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 23117 Type Customer Number here Telephone: (703) 816-4000 PTB:IGS/lmr					
 Paul T. Bowen NAME 38,009 July 8, 2005 REGISTRATION NUMBER Date					